

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

:

Criminal No. 05-297 (SRC)

:

Plaintiff, :

OPINION & ORDER

v. :

JEFFREY STAINES,

:

Defendant. :

:

CHESLER, District Judge

This matter comes before the Court on the application by Nicholas A. Medina (“Medina”) to change the restitution victim in this case. In short, Medina states that the restitution victim of record, George A. Medina, is deceased, and that Nicholas Medina is his legal heir. In support, Medina submitted a photocopy of a death certificate and an affidavit declaring that he is the legal heir.

In order to change the restitution victim because the victim of record is deceased, this Court requires a death certificate and proof of heirship. While Medina submitted a death certificate, his affidavit of heirship does not constitute proof of heirship. Heirship is a legal determination, and heirship may be proven by official documents from a court of competent jurisdiction. The application for change of restitution victim will be denied, but may be

resubmitted with the proper documentation.

SO ORDERED.

s/ Stanley R. Chesler
STANLEY R. CHESLER
United States District Judge

Dated: October 3, 2019